

HIS BUCKET SHOPS

Drastic anti-Gambling Bill Entered in House.

STOCK EXCHANGE FRIENDLY

Ogden D. Judd, President of New York Consolidated Stock Exchange, suggests changes at meeting of the House District Subcommittee. Bill defines bucket-shop.

An anti-bucketing and anti-bucket-shopping bill, which has received the approval of Ogden D. Judd, president of the New York Consolidated Stock Exchange, was introduced yesterday by Representative Campbell. This is the third time that Mr. Campbell has introduced an anti-gambling measure. The first was aimed at all forms of gambling from matching for drinks to betting on a Western race. The second bill left out the feature which prohibited gambling on sports and confined its attention entirely to bucketing and bucket-shopping. The bill of yesterday takes the place, naturally, of number two, and is believed to possess all those broad and necessary principles which an anti-bucketing or anti-bucket-shopping bill must have to become law.

Defines Various Terms.
The bill is called "An act to prohibit bucketing and bucket-shopping in the District of Columbia." After defining such unorthodox terms as "person, contract, securities, commodities," the bill goes on to state what is a bucket-shop. "Bucket-shop," says the bill, "shall mean any room, office, store, building, or other place where any contract prohibited by this act is made, or offered to be made."

"Keeper," continues the bill, "shall mean any person owning, keeping, managing, operating, or promoting a bucket-shop, or assisting in the management, operation or promotion of a bucket-shop."

"Bucketing or bucket-shopping," says the bill, shall mean:
"A. The taking of, or offering to make any contract respecting the purchase or sale of either upon credit or upon margin, of any securities or commodities wherein both parties thereto intend, or such keeper intends, that such contracts shall be, or may be, terminated, closed or settled, when such public market quotations of prices of such securities or commodities are not in, and without a bona fide purchase or sale of the same; or

"B. The making of, or offering to make any contract respecting the purchase or sale, either upon credit or upon margin, of any securities or commodities, wherein both parties do not intend or such keeper does not intend, the actual or bona fide receipt or delivery of such securities or commodities, but do intend, or such keeper does intend, a settlement of such contract based upon the difference in such public market quotations or prices at which said securities or commodities are or are asserted to be bought and sold."

A fine of \$1,000 or imprisonment for one year are the penalties for violation of the act. A second offense, and the act of continuing the bucket-shop after conviction has been secured, is to constitute a second offense, is punishable by five years imprisonment.

The publicity feature of the bill provides that intending purchasers, or sellers, must, on demand, be furnished with all genuine information concerning stocks offered, such as previous holder, prices at which it was last sold or bought, etc. In case such information is not divulged, upon demand, within twenty-four hours after such demand, this refusal shall of itself constitute a violation of the proposed law.

Macfarland Appears Too.
In addition to Mr. Budd, Commissioner Macfarland appeared before Mr. Campbell's subcommittee. The Commissioner showed himself to be heartily in favor of stopping any form of gambling, and he regards bucket shops as places for gambling, he therefore advocated the Campbell bill.

AUTOS FOR MAIL SERVICE.

Representative Wants Them Used on Rural Free-Delivery Routes.

Automobiles running at top speed, cabins to shelter the traveler from the stress of weather, and facilities for the transportation of passengers, baggage, and mail will be provided by the government on rural free-delivery routes if a bill introduced yesterday by Representative William Bourke Cockran, is enacted into law.

Mr. Cockran has no pride of paterfamilias in the measure. He introduced it "by request."

The bill provides in the first place for an auto post coach on rural free-delivery routes. These routes, to cater to the needs of a penny postal to a grand piano, one passenger or a dozen, all for a price specified in the bill.

As a further condition of this auto-coach service on rural free-delivery routes, the bill provides for post-cabins for the convenient collection and delivery of merchandise and baggage, "and for the shelter of travelers."

WILL NOT BUY JAMESTOWN.

House Naval Affairs Committee Refuses to Approve Its Purchase.

An adverse report was made by the House Committee on Naval Affairs yesterday on the bill authorizing the government to purchase the property of the Jamestown Exposition Company and convert it into a naval station.

The measure carried an appropriation of \$2,500,000.

Upon a motion to report the bill favorably, only one vote was cast in the affirmative.

Senator Stewart's Committee.
Senator Stewart, of Vermont, who succeeded the late Senator Proctor in the Senate, was yesterday assigned to the chairmanship of the Committee on Industrial Expositions, and was given the vacancies on the committees on Fisheries, the Five Civilized Tribes, Public Health and National Quarantine, and Revision of the Laws of the United States, all the assignments to take effect to-day.

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YESTERDAY IN CONGRESS.

SENATE.

The President transmitted, with a message, correspondence and other material bearing upon the Venezuelan situation.

Among a number of bills which passed were one to make uniform the warehouse receipts law in the District of Columbia and one making illegal to stamp any article suggesting under the pure food law "guaranteed by the United States government."

Senator Gallinger introduced three bills recommended by the District Commissioners. Senator Johnston introduced a resolution directing an inquiry into the operations of the United Fruit Company of New Jersey.

Senator Heyburn, after an extended debate, served notice of a filibuster on a bill to allow a dam to be constructed over a Western river. In an executive session the nomination of Grant Victor to be United States marshal for the Eastern district of Oklahoma was confirmed.

At 4:30 o'clock the Senate adjourned until noon to-day.

HOUSE.

The House further considered the agricultural appropriation bill in Committee of the Whole.

At 5 o'clock the committee arose and the House adjourned until to-day at noon.

TRACKS NO NEARER STATION

Fourth Meeting of Conference Results in "Progress" Only.

Sims Wears Chastened Mood and Gallinger Relents in Determination to Demand Accounting.

Tracks to the Union Station are a little nearer realization than they were before the conference between the Senate and House conferees began their meetings a month or so ago. This was the net result of the fourth meeting, held yesterday, so far as official information was given out.

"Progress" was all that could definitely be reported by the conferees, but how far they have progressed was not stated. From unofficial sources, however, it is learned that no definite agreement on any of the points of difference between the two Houses has been reached.

Representative Sims, of Tennessee, who has been the chief factor in the discord between the two sides of the Capitol on the truckage bill, was in a more chastened mood yesterday than he has been at any former meeting of the conferees, it is understood. Owing to this sudden change in the judge's demeanor, it is further understood, Senator Gallinger did not take his threatened action in regard to the interview, in which Mr. Sims was quoted as having cast aspersions upon the motives of the Senators on the conference committee.

The matter was directly referred to at the meeting, but without causing any extended discussion.

Mr. Sims, in a statement given to newspaper men before the conference began, declared that he had not intended to intimate that Senators on the committee were influenced by outside interests, but reiterated his claim that the inability of the conferees to agree was due to the stolid attitude of the Senators.

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VENEZUELA BLAMED

President Sends Correspondence to the Senate.

WOULD BAR HER EXPORTS

Administration Senators Would Use Embargo to Bring Recalcitrant Castro to Terms—Loomis Wanted Show of Force to Back Up Effort to Protect Asphalt Company.

President Roosevelt sent to the Senate yesterday a mass of correspondence and documentary evidence relating to the pending claims of the United States against Venezuela.

The Committee on Foreign Relations will meet to-day, and it is expected that consideration will be given to the matter.

It is the purpose of the administration's supporters in the Senate to press for the adoption of a joint resolution granting authority to the President to place an additional duty on Venezuelan products and to close American ports to Venezuelan goods if the additional duties are not effective in the intent to compel Venezuela to agree to arbitrate the pending claims.

The five cases to which the documents relate are those of the Orinoco Steamship Company, the Orinoco Corporation, Albert F. Jauret, the New York and Bermudez Company, and the United States and Venezuela Company. The most important of these is the claim of the New York and Bermudez Company, a subsidiary concern of the American Asphalt Company, and the bulk of the correspondence relates to its difficulties with the Venezuelan government, which dispossessed it of its holdings.

Loomis Asked for Ships.
The diplomatic correspondence relating to the New York and Bermudez Company's case was begun back in 1900. On December 26 of that year, Francis B. Loomis, then Minister to Venezuela, was telegraphing Secretary of State Hay that a gunboat was necessary to protect the company's property.

"No reasonable doubt," he cabled, "of conspiracy here to deprive this company of its property."

Mr. Loomis' meaning the asphalt lake which the company then held. "It seems to be a clear case of looting and pillaging," he wrote, "and the company has no other recourse but to demand compensation."

Secretary Hay telegraphed Mr. Loomis to "argue the case," but subsequently to "decisively demand," a stay of the proceedings of the Venezuelan Government concerning the asphalt lake until the matter could be investigated. Venezuela refused to comply.

A few weeks later, Mr. Loomis wrote to Mr. Hay that the opposition to the company was "because its property holdings here suggest large possibilities for profit to certain adventurous and not over-scrupulous spirits, who are always on the alert for plunder."

Cruisers Left at Crisis.
A little later Mr. Loomis informed the State Department that he thought the departure of the cruisers Hartford and Buffalo at the moment he presented Mr. Hay's peremptory demand was unfortunate. There was much correspondence at that time, Venezuela insisting that the constitution of the republic provided for an adjustment of the case through the courts. "The talk about the constitution is all bosh," said Mr. Loomis. "It is used as a convenience."

The asphalt lake was seized and the Venezuelan courts decided against the company. President Castro placed a receiver in charge. In October, 1903, three months after Mr. Root became Secretary of State, Mr. Root undertook to request Venezuela to refrain from considering for the present the question of arbitration, because I have not refuted the arguments in notes of July 9 and September 20, in which notes Venezuela plainly stated grounds for refusing to arbitrate."

This information was conveyed to Mr. Russell by the Venezuelan minister of foreign affairs, who said in a note:

"As the cases referred to cannot be considered as having been comprised among those which call for diplomatic action, the government of Venezuela would view it with satisfaction if the government of the United States would consider this question as closed, the parties interested being the United States and Venezuela as a special commissioner to investigate the New York and Bermudez case."

Mr. Calhoun went to Venezuela at the request of President Roosevelt in 1905, and made a thorough investigation of the dispute between the New York and Bermudez Company and the government of Venezuela. His conclusions are as follows:

"The Venezuelan government, on the main issue as made and on the evidence introduced in what is called the 'sequestration' suit, was entitled to a judgment of forfeiture or cancellation of the Hamilton contract, because the Bermudez company had not performed the obligation by it assumed, to explore and exploit the natural products of the forests and uncultivated lands in the state of Bermudez, and because the company did not plead or prove any release from such obligation or any excuse or justification for such nonperformance."

Holds Sequestration Unjustified.
"2. The sequestration of the company's property as an incident to the adjudication of the cancellation of the Hamilton contract was not justified."

"3. The assessment of damages against the Bermudez company for the breach of the Hamilton contract was made without the company's having a hearing and without any sufficient evidence of the existence of the facts upon which the assessment is based."

"4. The land title of the Bermudez Company gives it the fee of the lands described, for which it actually paid a money consideration to the government. The mining title was acquired under the mining laws of the country, and vested in the company the exclusive possession and right of operation for a term of nine years. These rights were ignored in the sequestration proceedings, and the continued possession of the property by the government is in contravention thereof."

History of the Case.
Mr. Calhoun's report begins the investigation by tracing the history of the dispute from the concession obtained from the Venezuelan government in September, 1883, by Horatio R. Hamilton, a citizen of the United States, who got authority from Gen. Guzman Blanco, then President of Venezuela, for the exclusive exploitation of asphalt and the natural products of the forests on the wild or public lands in the state of Bermudez."

Hamilton sold his concession to the New York and Bermudez Company, which was incorporated under the laws of New York on October 24, 1885, by Ambrose H. Carner, Thomas H. Thomas, and William H. Thomas, with a capital stock of \$1,000,000. At first Hamilton was managing director of the company, but he was succeeded in 1887 by Carner. Soon after the latter took charge the exploitation of timber and the natural products of the forests was abandoned, and the company confined its efforts to the production of asphalt."

Helped Matos Revolution.
After detailing the successive steps in the sequestration proceedings, Mr. Calhoun says further that on September 22, 1904, the Venezuelan government began a civil suit against the New York and Bermudez Company to recover damages for the damage caused by the alleged action of the company in giving financial aid to the revolution of 1901, which was led by Gen. Matos."

Discussing this point, Mr. Calhoun said that Gen. Avery D. Andrews, second vice president of the National Asphalt Company, in 1901, practically admitted that in the summer 1901 Gen. Matos arrived in New York and called upon the officers of the National Asphalt Company, and after disclosing his plans and stating that all the discordant elements of Venezuela opposed to the existing government were united and under his control, he solicited a contribution from the company in aid of his revolutionary plans. The officers of the company, the report continues, feeling that the Bermudez Company had been the victim of a conspiracy on the part of the government of Venezuela, gave Gen. Matos \$100,000, and subsequently made him two additional payments of \$15,000, the total aggregating \$120,000."

Forfeiture Held Just.
Mr. Calhoun says: "It seems to me that, so far as the main issue is concerned, upon the whole record of the government was entitled to a judgment declaring the Hamilton contract forfeited for the nonperformance of obligations therein contained, the defendant company offering no sufficient excuse or justification for such nonperformance."

Discussing the seizure of the Bermudez Company's property, Mr. Calhoun says: "This was a seizure which went far beyond the authority of the code; and which, even on the theory of the contract advanced by the government, was not only unnecessary, but harsh, oppressive, and unjustified."

"The report concludes: 'Without extending the discussion further, the fact remains that the company's right under these titles has never been passed upon. The government of Venezuela has seized and still holds the property as an incident to the forfeiture of the Hamilton contract. In so doing the government ignored titles which it had previously granted, and the validity of those titles remains to be adjudicated.'"